

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re

SILVERSIDE SENIOR LIVING,  
LLC, et al.,<sup>1</sup>

Debtors.

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Case No. 21-44887

Chapter 11  
Hon. Lisa S. Gretchko  
Jointly Administered

**ORDER RESOLVING MOTION OF CHIPPEWA VALLEY, LLC TO  
COMPEL PAYMENT OF POST-PETITION LEASE OBLIGATIONS OR,  
ALTERNATIVELY, REJECTION OF LEASE**

This matter came before the Court upon the Motion of Chippewa Valley, LLC (“Chippewa”) to Compel Payment of Post-Petition Lease Obligations or, Alternatively, Rejection of Lease (the “Motion”; ECF No. 60) and the response and objection to the Motion (the “Objection”; ECF No. 70) filed by Silverside Senior Living, LLC f/k/a ACM Senior Living, LLC and Graceway South Haven, LLC (collectively, the “Debtors”). A hearing on the Motion and the Objection was held on September 3, 2021 during which Chippewa and the Debtors stated that they have resolved the Motion and the Objection. On September 8, 2021, Chippewa and the Debtor filed a stipulation to the entry of this Order resolving the Motion and the

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<sup>1</sup> The debtors in these jointly administered proceedings along with the last four digits of their respective federal tax id numbers are Silverside Senior Living, LLC (2357) [Case No. 21-44887-lsg] and Graceway South Haven, LLC (9393) [Case No. 21-44888-lsg].

Objection (the “Stipulation”; ECF No. 93). The Court has reviewed the Motion, the Objection and the Stipulation, and has considered the statements of counsel at the September 3, 2021 hearing. The Court is advised in the premises.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. Effective upon the entry of this Order, the Lease<sup>2</sup> shall be deemed rejected pursuant to section 365(d)(2) and is hereby terminated without further notice required.

2. Notwithstanding the rejection and termination of the Lease, the Debtors, upon reasonable notice to Chippewa, shall have until September 24, 2021 to remove any resident/patient records located in the Premises.

3. For the avoidance of doubt, Chippewa’s right to request allowance and payment of an administrative expense against the Debtors’ estates, if any, is hereby preserved, as is the Debtors’ right to object to any such request.

4. For the avoidance of doubt, the Debtors’ right to seek to surcharge of any collateral of Chippewa pursuant to section 506(c), if any, is hereby preserved, as is Chippewa’s right to object to any such request.

5. The automatic stay is hereby modified pursuant to section 362(d) to the extent necessary to effectuate the relief provided herein. The stay contemplated in

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meaning given to them in the Motion.

Federal Bankruptcy Rule 4001(a)(3) is waived.

6. The Court shall retain jurisdiction over all matters related to the implementation of this Order.

**Signed on September 9, 2021**



**/s/ Lisa S. Gretchko**

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**Lisa S. Gretchko**  
**United States Bankruptcy Judge**